

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TYRONE BURSE,)
Plaintiff,)
v.) Civil Action No. 06-844
FIRST NATIONAL BANK,) Chief Judge Ambrose
Defendant.) Magistrate Judge Hay

ORDER

AND NOW, this 15th day of Feb., 2007, after the plaintiff,

Tyrone Burse, filed an action in the above-captioned case, and after the defendant, First National Bank, filed a Motion to Dismiss for Lack of Jurisdiction Pursuant to Fed. R.C.P. 12(b)(1) and 12(b)(6), and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion to Dismiss for Lack of Jurisdiction Pursuant to Fed. R.C.P. 12(b)(1) and 12(b)(6) is GRANTED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



DONETTA W. AMBROSE

Chief United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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